

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

vs.

22-CR-6009-CJS-MJP

JOHN LOONEY,

Defendant

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**MOTION FOR EXTENSION OF TIME TO FILE OBJECTIONS TO  
MAGISTRATE'S REPORT AND RECOMMENDATION**

**COMES NOW** defendant, by counsel, James A. Napier, Esq., and moves the Court for its Order extending the time within which defendant may file objections to the Report and Recommendation dated September 29, 2023 by United States Magistrate Judge, Mark W. Pedersen.

In support thereof, defendant states that:

1. The Report and Recommendation of the magistrate was provided to counsel on September 29, 2023, making objections to the Report and Recommendation initially due on or about October 13, 2023.
2. Counsel has been meeting with my client regularly and doing legal research regarding the Report and Recommendations .
3. As this Court can see based on the length of the Report and Recommendation and the length of previous pleadings submitted to the magistrate, and the multiple argument dates, the legal issues involved here are rather complicated.

4. Given my schedule and the need to consult with Bonnie Burkhardt, who assisted Counsel with the Privacy Rights argument, and the need to thoroughly review the legal analysis of the Magistrate, I would request until November 21, 2023 to complete necessary research, which is on-going, to submit any Objections to the Report and Recommendation.

5. The Court did grant a first request for extension to file Objections to October 31, 2023.

5. AUSA Meghan McGuire has no objection to this second request for an extension of time to file Objections until November 21, 2023.

**WHEREFORE**, defendant moves Court for its Second Order extending the time within which he may file his objections to the Report and Recommendation of the Magistrate until November 21, 2023.

/s/ James A. Napier, Esq

James A. Napier, Esq.

Attorney for John Looney

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 23, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all counsel of record.

/s/ James A. Napier, Esq.

James A. Napier, Esq

Counsel for Defendant, John Looney